



FACT SHEET: Republican Assault on Women's Health Continues With Efforts to Redefine Rape

The recent comments of Rep. Todd Akin are drawing renewed attention to the extreme Republican agenda on women's reproductive health. While Republican leadership is doing its best to distance themselves from Akin's comment about "legitimate rape," they cannot hide the fact that they are sponsoring legislation that represents views directly in line with Akin's.

The Law: Abortion Funding Restrictions Include Rape and Incest Exceptions

Long-standing policy that prohibits federal abortion funding includes an exception for cases of rape, incest, or threats to the mother's life. Since 1976, federal funding for abortion has been governed by a compromise originally sponsored by Republican Rep. Henry Hyde. The "Hyde amendment," which is renewed by Congress every year as part of government funding bills, prohibits the use of taxpayer dollars through Medicaid and the Indian Health Service to fund abortions. The legislation currently provides for exceptions in cases of rape or incest. [[CRS](#), 7/9/12; [Guttmacher](#), 2007; [Center for Reproductive Rights](#), accessed on 8/22/12]

- **Exceptions for rape and incest were first introduced in 1977.** In 1977, Congress adopted a revised Hyde amendment, providing exceptions in cases of rape, incest and where there is a threat to the health of the mother in addition to the original exception of life endangerment. Exceptions in cases of rape and incest have remained in place as part of each renewal since 1993. According to the most recent estimates, over 32,000 pregnancies result from rape each year. The majority of these pregnancies occur among minors. [[CRS](#), 7/9/12; [Guttmacher](#), 2007; [NAF](#), accessed on 8/22/12; [Center for Reproductive Rights](#), accessed on 8/22/12; [CDC](#), accessed on 8/21/12; [AJOG](#), 1996]
- **The rape exception has been traditionally supported by Republicans, including Newt Gingrich.** An overwhelming majority of Republicans have consistently voted with Democrats to exempt Hyde amendment restrictions in cases of rape, incest, or threat to the mother. The exceptions were first supported by Republican Representatives Robert Michel, Newt Gingrich, and Rick Santorum, along with 154 others. Rep. Gingrich defended the exemptions, arguing "First of all, I think you should have funding in the case of rape or incest or life of the mother..." [H. AMDT. 185 to H.R. 2518, [vote 309](#), 6/30/1993; [PolitiFact](#), 12/20/11]

Extreme Republican Agenda: Redefine Rape

Rep. Akin justified his opposition to abortions in the case of rape arguing that "if it's a legitimate rape, the female body has ways to try to shut that whole thing down." [[Fox 2 – St. Louis](#), 8/19/12]

Reps. Paul Ryan and Todd Akin teamed up to roll back the exception to "forcible rape" only. Paul Ryan, Todd Akin, and the majority of House Republicans introduced a bill to narrow the rape exception to "forcible rape" only in the No Taxpayer Funding for Abortion Act. The

bill distinguished forcible rape from other kinds of sexual assault that is recognized by law enforcement as rape, including statutory rape and attacks that occur because of drugs or threats. While the language was removed from the bill in a committee markup, Republicans attempted to preserve the limiting language in the bill report in an effort to influence future interpretation. Discussing the bill, Speaker Boehner asserted, “It’s one of our highest legislative priorities and as such I’ve directed it receive the designation of H.R. 3.” [[H.R. 3](#), 1/20/11; [Washington Post](#), 2/1/11; [CQ](#), 3/3/11; [Mother Jones](#), 5/3/11; [S.906](#), /5/5/11; [Politico](#), 1/20/11]

- **Rep. Ryan and fellow Republicans have repeatedly attempted to narrow the rape exception to “forcible rape.”** In 2009, Reps. Ryan and Sam Johnson offered an amendment to prohibit health insurance coverage of abortion services, “unless the pregnancy is the result of an act of forcible rape or incest.” During the same markup, all Republican members of the House Ways and Means Committee, including Rep. Ryan, supported Rep. Cantor’s amendment with the same language. Democrats on the House Ways and Means Committee defeated both extreme amendments. In 2010, 160 Republicans joined Rep. Ryan to co-sponsor an earlier version of the No Taxpayers Funding for Abortion Act, which also included the “forcible rape” language. [[NBC](#), 8/22/12; [Commonwealth Fund](#), 7/17/09; [H.R. 5939](#), 7/29/10]

Senate Republicans introduced a companion to Ryan-Akin. Senator Wicker introduced a companion bill in the Senate that is cosponsored by 36 Republicans. Like the House version of the No Taxpayer Funding for Abortion Act, this legislation would permanently codify the Hyde Amendment but also deny premium assistance tax credits to purchase health insurance that covers abortion services under the Affordable Care Act. [[H.R. 3](#), 1/20/11; [Washington Post](#), 2/1/11; [CQ](#), 3/3/11; [Mother Jones](#), 5/3/11; [S.906](#), /5/5/11; [NWLC](#), 4/6/11]

The official position of the Republican National Convention Platform: get rid of the rape exception. The Republican National Convention Platform approved a “human life amendment,” which would outlaw abortion under all circumstances, including cases of rape or incest, and even when abortions are necessary to save a woman’s life. Over 100 members of the platform committee unanimously approved the extreme measure hours after Republican leaders claimed to condemn Rep. Todd Akin’s comments regarding abortion and “legitimate rape.” Governor Romney supported the exact same language in the 2004 and 2008 convention platforms. [[NPR](#), 8/21/12; [Politico](#), 8/21/12; [Fox 2 – St. Louis](#), 8/19/12; [Politico](#), 8/21/12; [Boston Globe](#), 8/22/12]